

Practitioner's Docket No. 5418.3001.001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

APPLICATION NO: 10/821,381

ART UNIT: 3723

APPLICANT: Tony M. Gutierrez

EXAMINER: Debra S. Meislin

ASSIGNEE: Bottle Ring Opener, Inc.

FILED: April 9, 2004

FOR: FINGER RING BOTTLE OPENER

Director of Office of Patent Publications
Alexandria, VA. 22313-1450

September 27, 2006

Statement by Practitioner

I, Robert L. Farris, 5291 Colony Drive North, Saginaw, Michigan 48638, Reg. No. 25,112, Tel. No. (989)799-8787, state that I am the practitioner for this application. I declare that the postcard receipt marked as Exhibit A in my Petition to Withdrawal Abandonment of July 27, 2006 is a true copy of the original postcard maintained in the file for U.S. Patent Application No. 10/821,381 in my office. The Issue Fee Transmittal in this application was originally mailed on

CERTIFICATION 37 C.F.R. § 1.8a and 1.10

*(When using Express Mail, Express Mail Label number is mandatory)
(Express Mail certification is optional).*

I hereby certify that, on the date shown below, this correspondence is being:

X transmitted by facsimile to the patent and trademark office


Signature

Date: September 27, 2006

Kathryn Ann Farris
(type or print name of person certifying)

March 16, 2006 and the MPEP 503 Postcard Receipt was stamped as received by OIPE on March 22, 2006. A new Issue Fee Transmittal form was mailed on July 27, 2006 along with a check for the amount of the issue fee.

Respectfully Submitted,

Signature of Practitioner,

Robert L. Farris

Robert L. Farris
Registration No. 25,112
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5291 Colony Drive North
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INTELLECTUAL PROPERTY LAW

PATENTS, TRADEMARKS, AND COPYRIGHTS

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FACSIMILE COVER SHEET

TO:	FROM:
Attn: Cheryl	FARRIS LAW, P.C. Kathryn A. Farris
COMPANY:	DATE:
Office of Patent Publications	September ²⁵ 21 , 2006
FAX NUMBER:	NUMBER OF PAGES INCLUDING COVER:
571-273-9903 703-308-5065	5

Comments:

I am faxing the four page petition that was mailed on July 27, 2006. The last page (exhibit B) is a copy of the original 85B Fee Transmittal that was mailed on March 16, 2006. Please let me know if you have any further questions. Thank you.

The information transmitted is intended only for the person or entity to which it is addressed, and may contain confidential and/or privileged material. Any review, retransmission, dissemination, or other use of this information by persons or entities other than the intended recipient is prohibited by federal law, Title 18 U.S.C. 2510 et seq. If you received this facsimile in error, please contact the sender. Thank you.

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APPLICANT: Tony M. Gutierrez DOCKET NO: 5418.3001.001
SERIAL NO: 10/821,381 ART UNIT: 3723
FILED: April 9, 2004
FOR: FINGER RING BOTTLE OPENER
EXAMINER: Debra S. Meislin

MAIL STOP: ISSUE FEE
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA. 22313-1450

July 27, 2006

**Petition to the Director to Request Withdrawal of the Holding of
Abandonment (37 C.F.R. §1.181)**

S i r:

1. Applicant hereby requests that the Director withdraw the holding of abandonment of this application.
2. In the communication from the PTO mailed 07/11/2006, it was noted that this application is abandoned for applicant's failure to timely

CERTIFICATION 37 C.F.R. § 1.8a and 1.10
(When using Express Mail, Express Mail Label number is mandatory)
(Express Mail certification is optional).

I hereby certify that, on the date shown below, this correspondence is being:

X deposited with the United States Postal Service, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8a

37 C.F.R. § 1.10

x with sufficient postage as first class mail.


Signature

Date: July 27, 2006

Kathryn Ann Farris
(type or print name of person certifying)

pay the required issue fee.

3. I assert that a good faith effort was made to pay the issue fee in a timely manner.

4. Exhibit A is a photocopy of an MPEP 503 Postcard Receipt acknowledging receipt of the Issue Fee on the date stamped of March 22, 2006.

5. Exhibit B is a photocopy of the Issue Fee Transmittal Form that was mailed on March 16, 2006. This form unfortunately included a few typographic errors, including listing the Customer Number of the Reising, Ethington et al. firm rather than the Deposit Account Number for that firm.

6. Please accept the new Issue Fee Transmittal form that is now being sent along with a Change of Correspondence Address Application (PTO/SB/122), and check no. 1040 for the issue fee in the amount of \$700.00.

Respectfully Submitted,

Signature of Practitioner,

Robert L. Farris

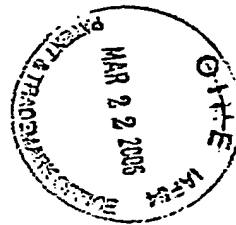
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RLF/kaf
enclosures

The U.S. Patent Office stamp hereon will acknowledge receipt on the date stamped of the ISSUE FEE for:

APPLICANT: RBO Innovations, Inc. (T. GUTIERRIEZ)
FILING DATE: APRIL 9, 2004
APPL. NO. 10/821,381
EXAMINER: MEISLIN, DEBRA S.
ART UNIT: 3723

BY First class mail on March 16, 2006
RLF FILE 5474.3001.002



3/22/06

xhibit A